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Agency for Toxic Substances
and Disease Registry
Atlanta GA 30333

JUL 17 1992

John R. Lumpkin, M.D.
Director of Public Health
Illinois Department of Public Health
535 W. Jefferson Street
Springfield, Illinois 62761

Dear Dr. Lumpkin:

We are writing to express our deep concern regarding performance and conduct by the Illinois Department of Public Health (IDPH), under Grant No. H75/ATH590119-01, awarded September 29, 1990 by the Agency for Toxic Substances and Disease Registry (ATSDR) to conduct an epidemiologic lead exposure study in Granite City, Illinois. Data were collected for this study during the summer of 1991.

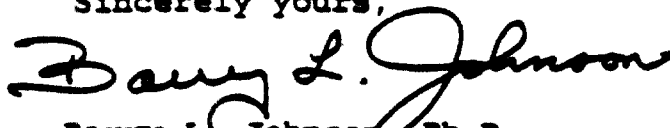
The focus of our concern is the premature public disclosure by a sub-contractor of the Illinois Department of Health, the Institute for Evaluating Health Risks (IEHR), of study results and conclusions that were based on data that have not undergone complete analysis or scientific peer review. Public disclosure of this kind is in violation of specific provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA), section 104(i)(13) and conflicts with ATSDR Peer Review Policy. This CERCLA provision requires that all studies and results of research that ATSDR carries out or funds in whole or in part must be peer reviewed prior to public release. This requirement was written in Federal Register Announcement 012, published March 30, 1990, under which the aforementioned grant was awarded, and applies equally to grantees and their sub-contractors. Additionally, the grant instrument mandates that grantees must comply with all applicable federal laws.

Although ATSDR staff have discussed this requirement with IDPH staff and their sub-contractors on more than one occasion, in at least two instances this requirement was disregarded. In both instances, conclusions from the Granite City study were disclosed prematurely, based on data that were not completely analyzed or peer reviewed, by Dr. Renate Kimbrough of the IEHR. The first occurrence was at a public meeting held by IDPH staff in Granite City on March 30, 1992, which was also attended by ATSDR staff. The second occurred during Congressional testimony on June 9, 1992.

We appreciate the desire of the IDPH to be responsive to public inquiry. However, the provisions of CERCLA, as amended, clearly require that results of ATSDR-supported research be peer reviewed prior to public disclosure. This requirement ensures that the information is accurate and complete, that conclusions drawn are appropriate and supported by the study data, and that scientific principles are not compromised. We would appreciate your assistance in reminding IDPH staff and their sub-contractors of the need to comply with the peer review provisions of CERCLA, and to not discuss the results or conclusions of Granite City Study or any other ATSDR funded research with the public until it has undergone peer review. Failure to comply with this requirement could adversely impact future funding of projects by ATSDR.

We request a written response no later than July 27, 1992, that affirms your understanding of this statutory requirement and ATSDR policy. Your attention and cooperation in this matter are appreciated.

Sincerely yours,



Barry L. Johnson, Ph.D.
Assistant Surgeon General
Assistant Administrator



Henry S. Cassell, III
Grants Management Officer
Procurement and Grants Office
Office of Program Support
Centers for Disease Control